

2009-009435

Klamath County, Oregon



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07/10/2009 11:10:51 AM

Fee: \$21.00

DEED RESTRICTION TEMPORARY USE PERMIT

After recording return to:

John Mackay
Barbara Mackay

The undersigned, being the record owners of all of the real property described at situs address; 28351 Yonna Wood Rd
283 Bonanza and further identified by "Exhibit A" attached hereto, do hereby make the following restrictive covenant(s) for the above-described real property, specifying that the covenant(s) shall run with the land and shall be binding on all persons claiming under such land, and that these restrictions shall be for the benefit of and limitation on all future owners of said real property.

In consideration of approval by Klamath County, Oregon of Temporary Use Permit File Number 6-04 on property designated by the Klamath County Assessor's Office as Tax Lot 100 in Township 31 South, Range 11 East, Section 31, the following restrictive covenant(s) hereafter bind the subject property:

1. A recreational vehicle or manufactured dwelling located on the property identified in Exhibit A is authorized as a medical hardship dwelling pursuant to Article 42 of the Klamath County Land Development Code. This second dwelling is temporary in duration and the permit must be renewed annually. Transfer of this permit to another party is not allowed.
2. Section 42.050(C)(4) of the KCLDC requires the manufactured dwelling or recreational vehicle to be removed when the hardship conditions ceases. The temporary structure must be removed within 90 days of the termination of the hardship or upon expiration of this permit, whichever may be first.
3. Pursuant to 42.060(C), the review body may revoke a temporary use permit upon finding that the temporary nature of the use has expired or that the applicant has not complied with this code or conditions of approval.

This covenant shall not be modified or terminated except by the express written consent of the owners of the land at the time, and the Klamath County Community Development Department, as hereafter provided.

KLAMATH COUNTY, a political subdivision of the State of Oregon, shall be considered a party to this covenant and shall have the right, if it so desires, to enforce any or all of the covenant(s) contained herein by judicial or administrative proceeding. This covenant is made pursuant to the provisions of the Klamath County Land Development Code.

Dated this 11 day of July, 2009.

Record Owner

Record Owner

STATE OF OREGON)
) ss.
County of Klamath)

Personally appeared the above names John Robert Mackay AND and acknowledged the foregoing instrument to be his/her voluntary act and deed before me this 10 day of July, 2009
By Susie Costic



BARBARA EILEEN Mackay
Susie Costic
Notary Public for State of Oregon
My Commission Expires: 3/10/2010